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R E M A R K S

Claims 43-46 were rejected under 35 USC 103 as being obvious in view of Cheston III et al, US Patent 6,330,308 ('308), in view of Charleton et al 6,069,940 ('940). Applicants respectfully traverse.

In the '308 reference the Examiner cites the sentence at col. 7, lines 25-27, the passage at col. 13, lines 10-49, and the passage at col. 3, lines 10-15.

The col. 7, lines 25-27 sentence and the text that precedes it and follows it combine to teach that a user can speak the identity of a party, the directory service analyses the spoken utterance, retrieves the telephone number of the spoken identity, and either provides it to the user or directly to the user's voicemail system so that the voicemail system can forward a message to the party identified by the user. The col. 3, lines 10-15 passage places this capability in context where, for example, a business traveler (the example used in the reference) accesses his or her voicemail system, hears an urgent message from a customer, and desires to take action, but does not know the customer's telephone number or the telephone number of a colleague to whom the user wishes to forward the urgent message. The Examiner added his own comment that it is well known for a voicemail system to prompt a remote caller for authorization code to access voicemail.

Applicants agree that it is reasonable to extend the explicit teaching of the '308 reference with the prompt for an authorization code, as suggested by the Examiner, resulting in a method where:

1. a user calls in to the user's voicemail system
2. hears a recorded message.
3. decides to respond to, or forward, the message.
4. not knowing the telephone number of the intended recipient, speaks the identity of the intended recipient,
5. the system performs voice recognition and retrieves the telephone number of the intended recipient, and
6. the system completes the desired action (forwards the message, or allows the user to deliver the desired response).

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Respectfully, the above-outlined method is quite different from what claim 43 specifies.

First, claim 43 specifies a method initiated by a customer that includes establishing a communication session with a remote party. Thus, the claim calls for two parties. The Examiner has not specified what in the reference corresponds to the "customer" of claim 43, and what corresponds to the "remote party" of claim 43. However, the reference does have two parties: the *user*, and the *user's voice mail system*, it would seem all that is necessary is to choose a correspondence that "fits" claim 43.

Communication between a user and the user's voice mail system is always initiated by the user, and the reference does not suggest otherwise.¹ Therefore, the Examiner's (unstated) assertion must be that the "user" in the reference corresponds to the "customer" of claim 43. It is, therefore, assumed that this is, indeed, the Examiner's assertion. However, as the Examiner pointed out, a voicemail system typically challenges a caller to provide a code before access is granted to stored messages, and the Examiner's remarks at the end of the first paragraph on page 3 of the Office action indicate that the "code" which the user provides to the voicemail system corresponds to the "authentication code" of claim 43. That, respectfully, does not fit claim 43 because the preamble and the first two steps of the claim specify that it is the "customer" that establishes the connection and it is the "remote party" that provides the authorization code.

Actually, it does not matter which party the Examiner asserts corresponds to the customer and which corresponds to the remote party, because in the '308 reference the party that establishes the connection (the user/customer) is also the party that provides the code, whereas in claim 43 one party initiates the communication and it is the other party that provides the authorization code.

It might be mentioned that two other parties are impliedly mentioned in the '308 reference, and they are the customer who had left the urgent message, and the colleague to whom the customer's message may be forwarded. However, neither one of them

¹ To be sure, there are voicemail systems that alert a user that messages are waiting, but the communication that takes place to provide this alert does not have any of the other steps that claim 43 specifies.

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initiates communication, so neither one of them qualifies as the "customer" of claim 43; and neither one of them provides an authorization code, so neither one of them qualifies as the "remote party" of claim 43.

Since '940 reference is cited for its teachings of keywords, it follows that the combination of the '308 reference and the '940 reference does not teach the preamble and the first two steps of claim 43 and, therefore, claim 43 is not obvious in view of the '308 and '940 combination of references.

Second, claim 43 specifies the step of

storing said communication originating from said remote party in a memory, and in association therewith storing said code.

The only storing to which the Examiner is referring in his remarks is

requesting authorization codes from a remote party and storing the code (as storing the message in a voicemail system – col. 12 lines 10-49. The Examiner notes that ...) -- Emphasis supplied.

Respectfully, there is no teaching in the '308 reference of any storing of an authorization code, observing that an authorization code is not something that is actually taught in the reference in the first place. Also, relative to said observation, it is noted that when a voicemail system asks a user to provide a code before access is granted to messages stored in the voicemail system, that code is not stored anywhere.

Further, the user in the '308 reference does not store any "communication originating from said remote party," and there is no assertion by the Examiner that any such storing takes place. Certainly, there is no storing of communication originating from said remote party in a memory, **and** storing of the authorization code **in association** with a stored message.

It is noted again that since '940 reference is cited for its teachings of keywords, it follows that the combination of the '308 reference and the '940 reference does not suggest the third step of claim 43 and, consequently does not render claim 43 obvious.

The fourth step of claim 43 specifies

after termination of said communication session, developing a set of keywords for indexing the stored communication

The Examiner cited the '940 patent, and it is true that the '940 teaches the voice mail system (a) reciting to the user a list of "subject line" suggestions for messages, (b) offering the user to enter his own message subject, or (c) capturing the first x seconds of

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speech (e.g. 10 or 15 second) and using that as the "subject line." However, all this inputting of a "subject line," is in connection with messages that the user himself creates, and not messages from a remote party, which is what claim 43 specifies. Therefore, again, the combination of the '803 reference and the '940 reference does not make claim 43 obvious.

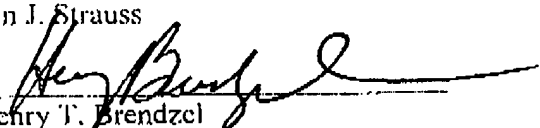
Regarding claim 44, which specifies encrypting the communication from the remote party, the Examiner has provided no explanation at all relative to the specific limitations of claim 44. Applicants believe that there is no teaching in either of the cited references pertaining to the encryption that claim 44 specifies and, therefore, it is respectfully submitted that claim 44 is not obvious in view of the '308 and '940 combination of references.

The same applies to claim 45; that is, there is no teaching of storing the remote party's communication as well as storing the customer's communication, and the Examiner provided no comments relative to this limitations. It is respectfully submitted, therefore, that claim 45 is not obvious in view of the '308 and '940 combination of references.

In light of the above amendments and remarks, applicants respectfully submit that all of the Examiner's rejections have been overcome. Reconsideration and allowance of the previously presented claims, as well as the new claims, are respectfully solicited.

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Respectfully,
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